

## ORDINANCE 97814

AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE AGREEMENTS FOR CAR RENTAL CONCESSIONS AT SAN ANTONIO INTERNATIONAL AIRPORT FOR A TERM OF FIVE YEARS, AND PROVIDING FOR ANNUAL PAYMENT TO THE CITY OF THE GREATER OF A MINIMUM ANNUAL GUARANTEE WHICH RANGE FROM \$290,000.00 TO \$1,447,600.00 OR TEN PERCENT OF REVENUES GENERATED AT THE AIRPORT, AS WELL AS RENTAL FOR COUNTER SPACE OCCUPIED IN EACH TERMINAL BUILDING.

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**WHEREAS**, the City of San Antonio is the owner and operator of the San Antonio International Airport, hereinafter referred to as "the Airport"; and

**WHEREAS**, proposals were solicited by the City of San Antonio for the operation of car rental concessions at the Airport; and

**WHEREAS**, on or about May 21, 2003, nine proposals were submitted in response to the City's request; and

**WHEREAS**, the proposals of Avis Rent A Car System, Inc; Clearwater Transportation, Inc., d.b.a. Thrifty Car Rental; Enterprise Rent-A-Car Company of Texas; The Hertz Corporation; DTG Operations, Inc., d.b.a. Dollar Rent A Car; Jim Dunworth, Inc., d.b.a. National Car Rental and Alamo Rent-A-Car; SATRAC, Inc., d.b.a. Budget Rent A Car of San Antonio; and Southwest-Tex Leasing Co., Inc., d.b.a. Advantage Rent-A-Car were judged to be acceptable to the City and the City now wishes to grant to these companies (collectively referred to as the "Concessionaires") the right to operate car rental concessions at the Airport under a standard agreement containing mutually satisfactory terms and conditions; and

**WHEREAS**, the proposal of Community Rentals Company did not include the required proposal bond, was also determined to be non-responsive, and therefore rejected; and

**WHEREAS**, the City therefore has available space for the operation of a ninth (9<sup>th</sup>) car rental concession; and

**WHEREAS**, the City will prepare and release a second RFP in substantially the same form for the operation of this remaining car rental concession; and

**WHEREAS**, the Good Faith Effort Plans of the eight proposers were submitted to the City on May 21, 2003, copies of said Plans being on file at the Office of the City Clerk of the City of San Antonio and incorporated by reference herein, were accepted by the Economic Development Department; and

**WHEREAS**, pursuant to the Concession Agreements, each concessionaire has committed itself to make a good faith effort to purchase specified amounts of goods and services from minority and woman-owned businesses during the contract term; and

**WHEREAS**, the City wishes to grant to the Concessionaires the right to operate concessions for certain car rental facilities at the Airport under a non-exclusive standard agreement containing mutually satisfactory terms and covenants; **NOW THEREFORE**:

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The car rental concession (to the extent they do not conflict with the terms of the Car Rental Concessions Agreement) proposals and related Good Faith Effort Plans of Avis Rent A Car System, Inc.; Clearwater Transportation, Inc., d.b.a. Thrifty Car Rental; Enterprise Rent-A-Car Company of Texas; The Hertz Corporation; DTG Operations, Inc., d.b.a. Dollar Rent a Car; Jim Dunworth, Inc., d.b.a. National Car Rental and Alamo Rent A Car; SATRAC, Inc., d.b.a. Budget Rent A Car of San Antonio; and Southwest-Tex Leasing Co., Inc., d.b.a. Advantage Rent-A-Car (the "Concessionaire") submitted to the City of San Antonio on May 21, 2003, for services to be provided at San Antonio International Airport are hereby accepted and attached hereto as Exhibit 2 and incorporated by reference herein for all purposes. All other proposals received are rejected.

**SECTION 2.** The City Manager, or her designee is hereby authorized to execute standard Car Rental Concession Agreements with the Concessionaires, attached hereto as Exhibit 1 and incorporated by reference herein for all purposes. Said Agreements will be for a term of five years and provide that each concessionaire will pay the City annually the greater of a minimum annual guarantee which range from \$290,000 to \$1,447,600 or 10 percent of revenues generated at the Airport, as well as rental for the counter space occupied in each terminal building.

**SECTION 3.** The City Manager, or her designee is hereby authorized to execute a future Car Rental Concession Agreement with a successful proposer of a soon to be released RFP in substantially the same form of the attached car rental concession agreements. Such future car rental concessionaire will pay the greater of 10% of Gross Revenues generated at the Airport or a Minimum Annual Guarantee.

**SECTION 4.** The proceeds of these Car Rental Concession Agreements shall be deposited into Fund 51-001 entitled "Airports Funds ", Index Code 036095, entitled "Car Rentals;" Fund 51-001000 entitled " Airports Funds " Index Code 035162, entitled, Airport Bldg Rentals – Terminal Area, and Fund 51-001000 entitled " Airports Funds," Index Code 030544, entitled " Airport Building Rentals – Terminal Area."

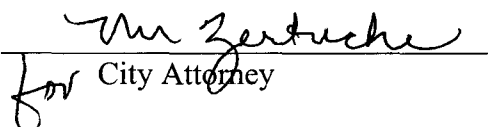
**SECTION 5.** This will become effective on the tenth (10<sup>th</sup>) day after passage hereof.

PASSED AND APPROVED THIS 19<sup>th</sup> day of June, 2003.



M A Y O R  
EDWARD D. GARZA

ATTEST:   
City Clerk

APPROVED AS TO FORM:   
for City Attorney